

Agenda Item: Proposed Parking Fee in Lieu Text Amendment. 2022-769

TO: Matthews Board of Commissioners
DATE: December 6, 2022
FROM: Jay Camp, Planning Director

Background/Issue:

- For over 20 years, Matthews has allowed reductions to onsite parking in the downtown area when public parking is nearby. Properties located along North Trade Street and Matthews Station Street are exempt from minimum parking standards as many have little to no onsite parking.
- These allowances are an acknowledgement that it is simply not feasible nor desirable to impose traditional minimum parking standards in a downtown area. Virtually all downtowns, small and large, have some mechanism to allowed reduced parking standards.
- The Town has received a text amendment request from the developer of the Ames Station project on Ames Street to implement a fee in lieu of parking structure. Similar to our fee in lieu of tree canopy, this amendment would allow some reduction to minimum off street parking requirements.
- Staff considered the request and took the opportunity to substantially modify the existing language in the code.
- In no instance can parking be reduced by more than 50%. The fee in lieu would be determined in the FY23-24 fee schedule. The developer has proposed \$6,400 per space reduced based on numbers from other communities. The money would only be used to build or improve parking in the downtown overlay district.
- Shifting to a system where more public parking spaces are created is a best management practice and helps the Town work toward a park once goal. Staff conducts biannual parking counts and the results continue to show underutilization of a large number of private parking spaces while public spaces are in high demand. Today, only about 21% of parking spaces downtown are public.

Proposed Solution:

- Planning Board voted unanimously to recommended approval of the text change subject to the removal of residential uses from the fee in lieu program. Staff has amended the text to remove residential uses from the parking fee in lieu program.

Financial Impact

- To be determined. Funds for the construction and maintenance of parking in Downtown would be received if the text amendment is approved and if developers make fees in lieu requests.

Recommended Motion

Approve Application 2022-769

DRAFT – FOR APPROVAL

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Town Board Decisions on Zoning-Related Issues**

ZONING APPLICATION # 2022-769
ZONING MOTION # _____
ADMINISTRATIVE AMENDMENT _____

Matthews Planning Board adopts the checked statement below:

- A) _____ The requested zoning action, as most currently amended, is recommended for approval, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

CONSISTENT: The change to the UDO is consistent with the adopted Downtown Mobility Study recommendations for parking management strategies to help better manage parking supply in downtown.

REASONABLE: The change in text is reasonable as it gives property owners more flexibility in how they provide required parking in the downtown area.

OR

- B) _____ The requested zoning action, as most currently amended, is not approved, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

INCONSISTENT: The text change is inconsistent and could create a lack of parking in downtown

NOT REASONABLE: The change in text is not reasonable and shifts the burden of parking from the private sector to the public sector.

(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being "consistent" or "not consistent" are not subject to judicial review.)

Date December 12, 2022

Changes to Downtown Overlay District Parking Requirements at 155.504.1.E

~~E. Parking and Loading Standards. Permitted uses within the Downtown Overlay are required to provide offstreet motor vehicle and bicycle parking and loading according to the minimum standards in § 155.607, except where the Historic Urban Core District (HUC) specifically authorizes different parking allotments for specific uses.~~

E. Parking Reductions for Transportation Demand Management Strategy Implementation. In accordance with the Downtown Mobility and Parking Study strategies for parking management in the downtown district, property owners may apply for reductions to required off-street vehicle parking. Although the following parking reduction provisions may be used in conjunction, the total reduction may not exceed fifty (50) percent of the amount of off-street parking required at § 155.607. HUC zoned parcels with frontage along the 100 or 200 blocks of North Trade Street or on Matthews Station Street are exempt from minimum vehicle parking requirements. All requests for reductions to off-street parking shall be reviewed and determined by the Zoning Administrator.

If off-site, non-street parking to meet these requirements are not met, the office or agent authorized by the Board of Commissioners to issue Certificates of Occupancy shall revoke the occupancy permit for the applicable use and shall not issue a building or occupancy permit, as explained at § 155.213, until those requirements are met. ~~One of the following parking reduction options may be used to reduce onsite motor vehicle parking requirements:~~

1. PUBLIC PARKING SPACES. Where on-street or public parking lot spaces are located within four hundred feet (400') of a building entrance, up to a twenty five percent (25%) reduction to required on-site parking may be allowed. ~~The reduction shall not exceed the number of public spaces located within 400'. for new construction or where a change of use requires more intensive parking:~~

2. SHARED PARKING. Joint use of up to twenty five percent (25%) of required parking spaces may be permitted with approval from the Zoning Administrator for different uses on newly-developed mixed use parcels provided that the property owner can demonstrate that uses will not overlap in hours of operation or in demand for shared spaces. If a newly developed site is to be subdivided, a shared parking agreement shall be provided to the Zoning Administrator for any lots that would otherwise show a parking deficiency. This agreement must include written permission from the private parking lot owner(s) and must identify the location and number of parking spaces to be made available, and at what days and times of the day these spaces may be credited to the use which otherwise is deficient in parking.

3. ON-STREET SPACES. New, marked on-street public parking spaces developed adjacent to and in conjunction with a new building or group of buildings, or a change of use within an

existing building, may be counted toward the minimum ~~on-site~~ off-street parking requirement for ~~that/those buildings the project. New marked spaces must be located on public streets and within four hundred feet (400') of the new building(s) or change of use with which they are associated. Any such on-street spaces may only be attributed to meeting minimum parking requirements for one new building.~~

4. PAYMENT IN-LIEU OF PROVIDING OFF-STREET PARKING. New nonresidential developments, changes of use or other situations that result in the requirement to provide new or additional parking may request to participate in the Town of Matthews parking fee in-lieu program. The following standards apply.

A. The owner/developer must make a fee in-lieu of request in writing to the Town of Matthews Planning Department. The request must summarize the intended use or uses, how much total parking is required and the requested reduction, how many in-lieu of spaces are requested and any transportation demand management strategies that are to be implemented.

B. Prior to the issuance of a building permit, an in-lieu of parking agreement between the Town and property owner must be executed. The total one-time fee per parking space must be collected prior to issuance of building permits for the site.

C. All funds received are to be held in the Town of Matthews Downtown Parking Fund and shall only be used for the addition or improvement of publicly owned parking located within the Downtown Overlay District.